

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

LAMAR RAY

Petitioner,

v.

**Case No. 16-C-0800
(Criminal Case No. 04-CR-71)**

**UNITED STATES OF AMERICA,
Respondent.**

ORDER

Petitioner Lamar Ray pleaded guilty to three armed robberies, 18 U.S.C. §§ 2113(d) & 1951, and two counts of use of a firearm during a crime of violence, 18 U.S.C. § 924(c), and on November 28, 2006, I sentenced him to a total of 492 months in prison. Petitioner took no direct appeal, but on December 3, 2007, he filed a motion to vacate his sentence pursuant to 28 U.S.C. § 2255, arguing that his lawyer provided ineffective assistance of counsel. On November 19, 2010, I denied that motion, and on June 3, 2011, the Seventh Circuit declined to issue a certificate of appealability. (Case No. 07-C-1072, R. 61 & 71.)

On June 24, 2016, petitioner filed another motion under 28 U.S.C. § 2255, seeking to raise a claim under Johnson v. United States, 135 S. Ct. 2251 (2015). At the same time, he filed in the Seventh Circuit an application for an order authoring a second or successive petition for collateral review. He asked me to hold the § 2255 motion filed in this court in abeyance until the Seventh Circuit ruled. On July 19, 2016, the Seventh Circuit denied petitioner's application. Ray v. United States, No. 16-2672 (7th Cir. July 19, 2016) (Order). I accordingly lack jurisdiction. Curry v. United States, 307 F.3d 664, 666 (7th Cir. 2002); 28 U.S.C. § 2255(h).

THEREFORE, IT IS ORDERED that petitioner's motion (R. 1) is **DISMISSED**. The Clerk shall enter judgment dismissing this action.

Dated at Milwaukee, Wisconsin, this 25th day of July, 2016.

/s Lynn Adelman
LYNN ADELMAN
District Judge